

A bill for an act
relating to education; establishing the MNovate Commission; proposing coding
for new law in Minnesota Statutes, chapter 127A.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[127A.90] MNOVATE COMMISSION.**

Subdivision 1. **Establishment; mission.** A commission called MNovate is
established to assist the governor, the legislature, the commissioner of education, and
learning communities of Minnesota. The mission of the commission is to provide
leadership for the creation of new and innovative models of public schools and schooling
resulting in:

(1) Minnesota's youth learning through models designed around their individual
needs and aspirations;

(2) new ways emerging for learning to be evaluated;

(3) new professional opportunities for teachers; and

(4) improved efficiency of the public E-12 learning systems in the state.

Subd. 2. **Membership.** (a) For the initial appointments, the terms of the board
members of the commission shall be one year for one-third of the members, two years
for one-third of the members, and three years for one-third of the members. Thereafter,
the terms of members shall be for three years. Members may be reappointed upon the
completion of their first term for one additional term. Commission members may serve a
maximum of two consecutive terms. The compensation, filling of vacancies, and removal
of members are governed by section 15.0575. The commission may accept gifts and
contributions from public and private organizations.

(b) The commission shall consist of 12 voting members. Voting members shall include the commissioner of education, who shall be an ongoing member and shall serve as chairperson for the first year, after which time the chairperson will be selected by the members.

(c) The governor, speaker of the house, and the Subcommittee on Committees of the Committee on Rules and Administration of the senate shall each appoint four voting members. At the initial meeting of the commission, the length of the terms would be allocated by a lottery method. The commissioner of education is one of the governor's appointees and shall serve a three-year period. One commission member may be a state representative and one may be a state senator.

(d) Commission appointees must have expertise or experience that demonstrates support for the risks and rewards of innovative efforts. The commission, to the extent practicable, should reflect geographic and ethnic representation.

(e) Following the initial appointments as provided for in this subdivision, the commission board will appoint its own members who shall serve with the advice and consent of the senate.

Subd. 3. Duties. (a) The commission must:

(1) provide outreach to educators, community groups, and others to help stimulate interest and develop proposals for new and fundamentally different schools;

(2) conduct research and identify high-priority unmet student learning needs in all parts of the state, as well as districts facing severe fiscal stress where new learning models or organizational models could help make districts and schools more fiscally sustainable.

Unmet needs to be researched and recommendations to be made include:

(i) improving student readiness for kindergarten;

(ii) new high school and postsecondary models;

(iii) administrative models for serving students in sparsely populated areas;

(iv) administrative, learning, or organizational models for districts facing severe fiscal stress;

(v) models that use low- or no-cost technology as a significant way to improve efficiency;

(vi) models which focus on student engagement in their learning with an enhanced level of connection between the teachers and students;

(3) identify laws and rules that restrict the development of learning models and constrain innovation;

(4) disseminate information about new school creation to audiences throughout the state;

(5) create opportunities for current district schools, site-governed district schools, chartered schools, contract alternative schools, and others to learn of new models, exchange ideas, improve efficiency, improve accountability, and enhance innovation in public education;

(6) research and develop new models of evaluation to support learning, efficiency, and accountability;

(7) facilitate and coordinate quality assistance as well as nongovernmental support to assist districts and other new school developers in creating proposals for high-quality new models of schools and schooling and ultimately to effectively implement these new models;

(8) as provided in section 124D.10, subdivision 3, paragraph (c), develop the application process and review applications of organizations requesting to be authorizers of charter schools and make recommendations to the commissioner of education regarding approval, renewal, and removal of charter school authorizing authority;

(9) administer the federal charter school start-up grant funding awarded to the state; and

(10) actively seek out funding from private sources, federal grants, and other sources to fund the work of the commission. The commissioner shall enter into an agreement with the commission to provide the federal charter school funding to enable the commission to meet the requirements of clauses (8) and (9).

(b) The commission must periodically request testimony and advice from educators, students, families, education organizations, the business community, higher education, and other parties to gain their input with respect to learning models. Also, persons with expertise in new models of teaching and learning, finance, technology evaluation models, and other areas to be determined by the commission shall provide testimony and advice.

Subd. 4. **Report.** By January 21 of each year, the commission shall report to the governor, legislature, and commissioner of education regarding the results of its work and make recommendations for ongoing development of new school models. The report must also include draft legislation, if necessary, to further the goals of the commission.

Subd. 5. **Delegation to nonprofit.** The commission shall create a private nonprofit corporation and make application for tax exempt status under section 501(c)(3) of the Internal Revenue Code of 1986. The members appointed in subdivision 2 shall serve as the corporation's board of directors. The private nonprofit corporation is not subject to laws governing state agencies or political subdivisions, except that the provisions of chapter 13, the open meeting law under chapter 13D, salary limits under section 15A.0815, subdivision 2, and audits by the legislative auditor under chapter 3 apply. The

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- 4.1 board of directors and the executive director of the nonprofit corporation are considered
- 4.2 "officials" for purposes of section 10A.07. The commission may delegate any or all of its
- 4.3 powers and duties under state and federal law to the private nonprofit corporation. The
- 4.4 commission may revoke a delegation of powers and duties at any time.